

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KAMRAN NIGHTINGALE,	:	Civil No. 1:18-cv-2132
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
FBI, et al.,	:	
	:	
Defendant.	:	Judge Sylvia H. Rambo

**ORDER**

Presently before the court is a Report and Recommendation of the magistrate judge (Doc. 3) in which he recommends that Plaintiff's *pro se* complaint be filed on the docket for screening purposes only but that it be dismissed without leave to amend. In his Report and Recommendation, the magistrate judge thoroughly examines Plaintiff's claims and finds that the complaint is fundamentally flawed in multiple ways which cannot be remedied.

In considering whether to adopt the Report and Recommendation, the Court should, as a matter of good practice, "satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Fed. R. Civ. P. 72(b), advisory committee notes; *see also Univac Dental Co. v. Dentsply Intern., Inc.*, 702 F. Supp. 2d 465, 469 (M.D. Pa. 2010) (explaining that judges should review dispositive legal issues raised by the report for clear error). Following an independent review of the record, the court is satisfied that the Report and

Recommendation contains no clear error, and will therefore adopt the Report and Recommendation.

The court will further dismiss the amended complaint, filed just days after the Report and Recommendation, as it has not cured the deficiencies cited by the magistrate judge and does not contain sufficient factual recitals to state a claim upon which relief may be granted.

Accordingly, **IT IS HEREBY ORDERED** as follows:

- 1) The Report and Recommendation of the magistrate judge is **ADOPTED**.
- 2) The complaint is **DISMISSED**.
- 3) The amended complaint is **DISMISSED**.
- 4) The motion to appoint counsel is **DENIED** as moot.
- 5) The Clerk of Court is directed to close this case.
- 6) Any appeal taken from this order is deemed frivolous and not taken in good faith.

s/Sylvia H. Rambo  
SYLVIA H. RAMBO  
United States District Judge

Dated: March 19, 2019

